

CASE NO. 11 cv. 2938

ATTACHMENT NO. 4

EXHIBIT

TAB (DESCRIPTION)

30)

Ex # 30

Address my grievances with a proper manner. I have ~~it~~ numbered each of these six grievances and attached them.

Next is the grievances dated 9-27-2009. This grievance was answered by counselor Bowman but never the grievance officers. It's labelled duplicate 1894. That's wrong. This grievance has nothing to do with investigative status nor the back dating of a ticket.

The next date is 11-03-2009. Another grievance that has nothing to do with grievance 1894, but it's labelled duplicate.

Lastly, there is one dated 11-16-2009, this grievance was regarding the Grievance officers failure to respond to my grievances within a timely manner. AS well as the Chief Administrative officer's failure to comply. This grievance was responded to by the F-house counselor Harris. Yet, the Grievance officers has simply labelled it a duplicate. This was the first time I grieved this!

Ill due to all these alleged duplicate write offs, I need some guidance as what to do. Yet, please know the grievance officer NEVER sent me any notice of anything being duplicates. Everyone was simply ignoring all of my complaints.

AS I now read on I see that the following grievances have be labelled duplicate to not one grievance #

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EX #30

but two grievance #'s. Both #1760 & #1894, the dates of those grievances are: date 8-07-2009 regarding reviewing officer Torre ~~Badge~~ # 676. 8-07-2009, regarding the hearing investigator badge #2793, as well as a grievance dated 8-04-2009.

Jill someone has to be at fault here. IF I may ask, who was the individual who constantly wrote Duplicate on these grievances?

Jill can you check and see if the grievance #1894 is currently in Springfield. I do not recall ever receiving this document. Yet, throughout all of my complaining and writing it's possible. Yet, I swear I don't remember ever receiving this paper.

Inasmuch, can you please aid me with this grievance dated 12-28-2009. Ms. Harris, never answered it. It's about my living conditions in F-house.

Jill I will leave this sort of untied situation at this point. Hopefully you will be able to aid me with my issue Jill.

In closing, Jill I swear I told my family to leave you out of this drama. I am blessed to have you as my counselor. I would never speak ill about you Jill, ever. I know you have nothing to do with this. Due to the weight this ticket carries with my legal case, I must fight this Jill. Plus this is wrong of Tejeda and whoever else.

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EX #30

They've made me do time for nothing and now they are ignoring my pleas for help. I will not rest peacefully until this issue is resolved. Tejeda lied Jill and Franklin tried to cover it up. I thank you for whatever you can do for me. Thanks ALOT Jill, you are truly a treasure!

Respectfully

Frank Drew
K-73514
E-710

P.S. Can you please put me in to retrieve my two months Back? No-one ever came to speak to me about it being taken. I just want to be sure my calculation sheet is still the same!
TILANK, [unclear]

P.P.S. Hopefully your guidance will lead me on to Springfield if not just expunge this ticket.

I APPRECIATE
THIS JILL!
EVERYTHING!

EX # 31

COLD STEEL ON ICE BLACK HAWKS

DA BULLS

#1

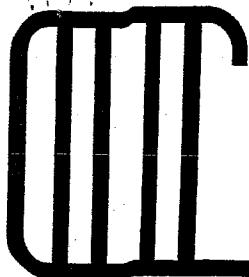
JILL HOSSELTON

Correctional Counselor II

E-House : 108-118, 3 & 7 gallery

- MSR : _____
- Aggression Level : _____
- Grade : _____
- Commissary : _____
- Time Adjustment : _____

I talked to the ARB & sent
them everything. We need to just
wait & see what they say



Illinois
Department of
Corrections

Ex #32

PAT QUINN
Governor

MICHAEL P. RANDLE
Director

1301 Concordia Court / P.O. Box 19277 / Springfield IL 62794-9277 / Telephone: (217) 558-2200 / TDD: (800) 526-0844

March 4, 2010

Frank Drew
Register No. K73514
Stateville Correctional Center

Dear Mr. Drew:

This is in response to your grievance received on October 16, 2009, regarding a disciplinary report dated July 10, 2009 (observed 6/11/09) and Confinement (Investigative Status), which was alleged to have occurred at Stateville Correctional Center. This office has determined the issue will be addressed without a formal hearing.


This office has reviewed your written grievance dated August 7, 2009 regarding the above cited issues and notes that the issue of Investigative Status was reviewed by this office under grievance numbers 1760 and 1732 and will not be heard here.

The Grievance Officer's Report (1894) and subsequent recommendation dated September 10, 2009 and approval by the Chief Administrative Officer on September 28, 2009 have been reviewed.

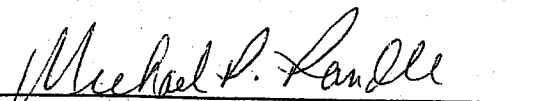
This office reviewed the disciplinary report written on July 10, 2009 by C/O Tejeda citing you for the offenses of 105-Dangerous Disturbances and 205-Security Threat Group or Unauthorized Organizational Activity, along with the corresponding Adjustment Committee Summary (200901391/2-STA).

Based on a total review of all available information and a compliance check of the procedural due process safeguards outlined in DR504, this office is reasonably satisfied the offender committed the offenses and recommends the grievance be denied.

FOR THE BOARD:


Sherry Benton
Administrative Review Board
Office of Inmate Issues

CONCURRED:


Michael P. Randle
Director
TA
3/12/10

cc: Warden Marcus Hardy, Stateville Correctional Center
Frank Drew, Register No. K73514

Michael P. Randle
IDOC Director
PO Box 19277
Springfield, IL 62794

(Exhibit # [redacted])
EX # 33

~~Remove this page from file~~

Dear Mr. Randle:

This is Frank Drew K-73514, and I am currently a resident at Stateville C.C. I'm involved in a constant struggle here with Stateville Grievance Officers and other officials whom in which have failed to address my grievances regarding incident #200901391/1-STA, as well as my letters of complaint about the failure to respond.

However on 3-02-2010 and 3-03-2010, I asked my family to complain about the failure of the Grievance officers to respond to my letters and complaints, as well as the Warden, by way of phone calls.

On 3-04-2010, I received a letter from my counselor along with copies of almost all the letters I sent to both the Grievance Officers and wardens, and copies of my grievances and exhibits as well. With directions to look through everything and figure out what was messed up and respond to her in writing.

Nevertheless, this I have done, yet as I read through the grievances, I notice that the grievance officers responded to two of the grievances in question. Grievance #1760 and Grievance #1894. Yet, I do not recall ever receiving the (0047 Form) to Grievance #1894. Yet, the last four (4)

Ex #33

were simply all labelled duplicates to grievance #'s 1760 & 1894.

This action was taken regardless of the fact that none of the last four (4) grievances had nothing at all to do with the Facts Reviewed within grievances 1760 & 1894.

Furthermore, no-one ever sent me notice of these grievances being labelled duplicates at all. Also no-one never sent me a response to my many letters of complaint regarding these grievances. Up until my loved ones called Stateville with complaints.

However, although I am awaiting my now Counselors assistance with this matter, the Grievances Officers has already made up their minds and signed the last four (4) grievances off as duplicates. I'm now moving forward to notify Springfield (A.R.B.) of the incorrect ruling in this instances.

At this point I would like to speak upon the wrongful decisions made towards my grievances. In grievance # 1. (8-07-2009,) I was clearly stressing the fact that I was left in investigative status for more than 30 days. #1760

In grievance # 2. (8-07-2009) #1894, I was speaking upon the fact the R/O R. TeJeda back dated his disciplinary report.

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EX #33

In grievance #3. (8-07-2009) This grievance was directed against (Reviewing Officer Torre badge # 676) For Failing to adhere to the procedures instilled within 504.50 D) This grievance had nothing to do with the Reviewing Facts in either grievance #'s 1760 or #1894. However this grievance has been labelled duplicates to both of those grievances.

In grievance #4. (8-07-2009) This grievance was clearly directed towards the unprofessional ethics of the (Hearing Investigator S. Brown badge # 2793) For Failing to properly investigate and address the issues within the disciplinary report in question. Even after she was notified by myself of the lies, being told in this instance. Yet, the grievance officer saw fit once again to label this grievance as well as a duplicate to both grievance #1760 and #1894.

In grievance #5. (8-07-2009) I was speaking upon the Failure of the Adjustment Committee to Follow the 504.80 C), G), J), J(1), K), K(1), K(2), and K(3). Yet, this grievance was signed off as a duplicate to the 1760 grievance.

In grievance #6. (8-08-2009) Which was strictly about the fabrications made by R/O Tejada, the desire of the Adjustment Committee chair person

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EX #33

to find an excuse to find me guilty of the charges, where in which he located an officer whom was not on duty the day of the incident to be his witness, against me. Also that the Chair person used facts not alleged within the disciplinary report to summarize his reason for continuing my Adjustment hearing and finding me guilty. Nothing in this grievance has anything to do with the Facts Reviewed in grievance # 1894. Yet this grievance was also labelled a duplicate to grievance #1894.

Once again, I complained several times about no-one responding to my letters or grievances. Being so, I ask that I not be penalized due to the tardiness of these grievances.

Furthermore, I would like to present new evidence, that was recently exposed to myself. Somehow, I got tangled into this situation that allegedly began in E-house cell 523 between Mr. Jaber Wilson R-34144 and his Cellmate. Recently the A.R.B. Ms. Sherry Benton saw fit to expunge Mr. Wilson's incident report # 200901388/1-STA. I would simply like to state that due to these situations allegedly being one of the same, I was also issued an excessive and disparate disciplinary action, seeing as though it was five (5) individuals allegedly

involved with this incident, Only three (3) of the Five (5) individuals were written disciplinary reports. TWO (2) of us were served six (6) months and One was served 30 days. I to should have this disciplinary report expunged due to this cause and as well as the reasons stated within my grievances.

Lastly I've also enclose a grievance dated 11-16-09 that is clearly labelled duplicate yet this is the only grievance I've ever written against the grievance officers and Chief Administrative officer in this instance.

The Grievance procedure here at Stateville has failed me. I ask that someone please investigate my grievances and the failed grievance system as well.

I thank you for reading my thoughts and possibly addressing my claims.

Date: _____

Sincerely
Frank Drew
K-73514
STATEVILLE

OFFENDER'S GRIEVANCE

Counselor's Response (If applicable)

Date Received: 4, 2, 10

☐ Send directly to Grievance Officer

☐ Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62794-9277

Response: See copies of all grievances marked
Duplicates attached

J. Hawk
Print Counselor's Name

[Signature]
Counselor's Signature

4, 13, 10
Date of Response

Distribution: Master File; Offender

Page 1

DOC 0046 (Rev. 3/2005)

Printed on Recycled Paper

Frame of 820-2009-3-03-2010.

On 3-03-2010, after several phone calls from my loved ones, my Counselor sent me copies of all of my previously Filed and stamped received letters of complaint, grievances, and exhibits as well. It was at that time ~~that I was finally made aware of the fact that the grievance officer(s) labelled several of my grievances as duplicates to grievances #1760 and #1894. Both~~ previously Filed by myself.

On 3-11-2010, I completed my response to (2047 Form) regarding grievance #1894 and the alleged duplicates as well. Attached with a proof of service, I placed those documents in the mail to Springfield.

On 3-30-2010, I received by way of legal mail, the results to grievance #1894. However, this response was made on 3-04-2010. Therefore, there is no way possible my response was reviewed. I was aware of my Counselor sending my issue to Springfield, trying to aid me due to my complaints yet, she was not completely aware of my entire situation seeing as though she was made my counselor on or around 12-22(08)23-2009.

Nevertheless, both grievance #1760 and #1894, had their own individual claim. #1760 was clearly a complaint stating I was held in investigative status for more than 30 days. #1894 was clearly a complaint stating that Rico Tejada back dated his disciplinary report against me after he was made aware of me complaining about my investigative status being over with, (past the 30 days).

In the first grievance labelled duplicate, it was labelled duplicate to both grievance #1760 and #1894. Yet, this grievance was clearly about the Reviewing Officer failing to adhere to the procedures instilled within 504.50 ~~the~~ [Properly reviewing the said disciplinary report]. This grievance was never responded to in a proper manner.

In the second grievance labelled duplicate, it was labelled a duplicate to both #1760 and #1894 as well. Yet, this grievance was clearly a complaint against the Hearing investigator for failing to properly investigate the disciplinary report in question. I spoke to Ms. Brown #2793 personally, so she was aware of my issue and still failed to investigate and follow the proper procedures.

In the third grievance labelled duplicate, it was labelled duplicate to #1760. Yet, this grievance was a complaint against Adjustment Committee for failing to follow procedure 504.80.

In the fourth grievance labelled duplicate, it was labelled duplicate to #1894. This grievance attacked the lies and falsehoods that were used to find me guilty and the ones that were in the original disciplinary report as well. ~~This~~ This grievance had nothing at all to do with the facts / subject matter in grievance #1894. The failure of the grievance officer to address these grievances denies me my right to the 1st amendment, (Freedom of Speech)

Date: <u>4-08-2010</u>	Offender: (Please Print) <u>Frank Drew</u>	ID#: <u>K-73514</u>
Present Facility: <u>Stateville</u>		Facility where grievance issue occurred: <u>Stateville</u>
NATURE OF GRIEVANCE: <input type="checkbox"/> Personal Property <input type="checkbox"/> Mail Handling <input type="checkbox"/> Restoration of Good Time <input type="checkbox"/> Disability <input checked="" type="checkbox"/> Staff Conduct <input type="checkbox"/> Dietary <input type="checkbox"/> Medical Treatment <input type="checkbox"/> HIPAA <u>Failure to Respond to</u> <input type="checkbox"/> Transfer Denial by Facility <input type="checkbox"/> Transfer Denial by Transfer Coordinator <input type="checkbox"/> Other (specify): <u>Grievances</u> <input type="checkbox"/> Disciplinary Report: _____ <div style="display: flex; justify-content: space-between; font-size: small;"> Date of Report Facility where issued </div>		
<p>Note: Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification.</p> <p>Complete: Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to: Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board. Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor. Chief Administrative Officer, only if EMERGENCY grievance. Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.</p>		
<p>Brief Summary of Grievance: <u>Continued From Previous Page</u></p> <p><u>Stateville grievance officers and all whom are aware are also denying me the right to appeal my disciplinary report, complaints about the staff members whom are assigned to certain duties, yet they are neglecting those duties, and I am being denied the opportunity to be treated fair and equal as a prisoner in the IDOC.</u></p> <p><u>Furthermore, the last grievance attached that's marked as a duplicate, was filed against the grievance officers for failing to respond to these very same grievances. Although Ms. Harris my</u></p>		
<p>Relief Requested: _____</p>		
<p><input type="checkbox"/> Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.</p>		
<u>Frank Drew</u> Offender's Signature		<u>K-73514</u> ID#
		<u>4-08-2010</u> Date

Counselor's Response (if applicable)		
Date Received: _____	<input type="checkbox"/> Send directly to Grievance Officer	<input type="checkbox"/> Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62794-9277
Response: _____ _____ _____ _____ _____		
Print Counselor's Name	Counselor's Signature	Date of Response

EMERGENCY REVIEW	
Date Received: _____	Is this determined to be of an emergency nature? <input type="checkbox"/> Yes; expedite emergency grievance <input type="checkbox"/> No; an emergency is not substantiated. Offender should submit this grievance in the normal manner.
Chief Administrative Officer's Signature	Date

then F-house Counselor responded to this grievance, the grievance officers simply wrote duplicate on this grievance as well and never made me aware of their actions of doing so. My due process rights have truly been violated in this instance.

These grievances were not copies nor duplicates to DOC 0047 Forms #1760 or #1894. The grievance officers had the duty to address my claims. To simply waive them off as duplicates to grievances they are not duplicates to shows true negligence.

A P P E N D I X

- 1) DOC 0047 Form #1760
- 2) DOC 0047 Form #1894
- 3) Unanswered Grievance on reviewing officer, duplicate #1760
- 4) Unanswered Grievance on reviewing officer, duplicate #1894
- 5) Unanswered Grievance on Hearing investigator, duplicate #1760
- 6) Unanswered Grievance on Hearing investigator, duplicate #1894
- 7) Unanswered Grievance on 504.80 Adjustment Committee, duplicate #1760
- 8) Unanswered Grievance on False Facts, and Faulty witnesses, duplicate #1894
- 9) Unanswered Grievance on Grievance officer Failing to respond, duplicate #

ILLINOIS DEPARTMENT OF CORRECTIONS
OFFENDER WRITE-OUT
Stateville Correctional Center

EX # 35

SENT
OUT
ON4-18-2010
4-22-2010

To the reader: This letter has been inspected for security purposes. This inspection is not verification of the offender's statements contained herein.

When sending funds to an offender by mail, you may only send money orders and/or cashier's checks; each must be in the denomination of \$50 or less. You may also send funds via Western Union (there is no limit to the \$ amount that you may send in this manner).

You may send or bring approved publications to the facility. Such items will be reviewed by the Publications Review Committee prior to being forwarded to the offender.

The mailing address for offenders at the main facility is: P.O. Box 112, Joliet, IL 60434. The address for those at the facility's Minimum Security Unit is: 20415 Division Street, Crest Hill, IL 60435.

Please include the offender's name and complete number on all correspondence, funds and publications that are mailed to the facility

To Grievance officer

From Frank Drew

MS. Margaret Thompson

Street

Number

City

State

Zip Code

K-73514 F-153

Greetings Mamm,

On 4-16-2010, I sent you a grievance with (9) exhibits attached, with hopes of getting these grievances properly address by responses on Doc 0047 forms so that I may appeal them properly.

Inasmuch ^{Mamm} those grievances are all regarding an IDR from 7-10-2009. Enclosed with this letter I'm enclosing Mr. Jaber Wilson's response from Springfield regarding this very same issue. I ask that you please take Mr. Wilson's expungement letter into consideration while viewing my grievances. There were (5) people walked to seg. Two were never charged. One was charged with fighting Mr. Wilson and Mr. Wilson and myself were charged with 105 and 205, and Mr. Wilson also had a 301 charge as well. These charges all stemmed from the very same confidential sources, which was the key reason why Springfield dismissed Mr. Wilson's IDR.

Nevertheless ^{MS. Thompson} ~~MS. Thompson~~ check my file, I've been in Stateville since 1999 and I've never been associated with any kind of STG. Whoever through my name in this put lied. Over the last six years up until that point I stayed out of seg and I've managed to secure my G.E.D. and Barber college Diplomas.

^{MS. Thompson} ~~MS. Thompson~~, this IDR has not only forced me to do six months in seg, I lost my job as a barber, my transfer was recently denied, even though I'm under 20 years by at least 3 years, and I am positive this IDR will have a negative outlook on my legal appeal.

^{Mamm} ~~MS. Thompson~~ all other parties were either let go with no charges, or the only person still with charges only had a Fighting charge. This IDR is really

When visiting or corresponding with an offender, you are required to adhere to all departmental and facility rules. You may obtain a copy of these rules from the facility's Visitors' Center, on line at www.idoc.state.il.us or by writing Stateville Correctional Center, P.O. Box 112, Joliet, IL 60434, Attention Audit Office (please include a stamped, self-addressed envelope).

not fair seeing as though I truly had no knowledge nor anything to do with whatever took place. Can you please expunge this IDR. I've been battling this for almost a ^{Mamm} whole year now ~~now~~. I'm seriously requesting that you please check my back ground, this is a complete sham. I am innocent of these charges.

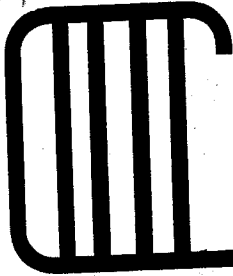
I thank you ^{Mamm} ~~you~~ for reading my thoughts and I ask that you please take them into consideration. Also, I'm attaching a copy of Mr. Wilson's expungement paper from Springfield, my G.E.D. and Barbering Diploma. As a show of proof to my words. Seeing ~~as~~ as though that's all I have.

THANK YOU!

{ "PLEASE BE" } RESPECTFULLY
{ RESPONSIVE } Frank D'Amico
K73514
F-153

P.S. Can I please have my Diplomas back whenever you respond. Thank YOU! SORRY ABOUT THE SCRATCH OUTS. I SENT THIS VERY SAME LETTER TO SEAN DASS WHO INFORMED ME TO SEND IT TO YOU!

P.S. MS. Jill Hosselton signed off on my aforementioned Grievance on 4-02-10 and sent it to me on 4-13-10 due to me being walked to seg. I didn't send it off to you until 4-16-2010. Please let me know if you received it or not. Included there is (9) exhibits.



Illinois
Department of
Corrections

Stateville Correctional Center
Route 53, P.O. Box 112
Joliet, IL 60434

Michael P. Randle
Director

Telephone: (815) 727-3607
TDD: (800) 526-0844

MEMORANDUM

DATE: 4-26-10
TO: Drew K73514
FROM: M. Thompson, CCII
Grievance Office
SUBJECT: ATTACHED GRIEVANCE -

~~F153~~ F4B3

The attached grievance is being returned for the following reason:

- ☐ It needs to be rewritten and submitted to your counselor on the attached IDOC Offender's Grievance form.
- ☐ It was not filed within 60 days of discovery of the incident, occurrence, or problem which gives rise to the grievance as required in DR 504F, Grievance Procedures for Committed Persons.
- ☐ Issue needs to be discussed with your counselor for possible resolution.
- ☐ No issue outlined in grievance.
- ☐ It appears that no attempt has been made to resolve the issue as required by DR 504F.
- ☐ Issue is currently being reviewed by _____
- ☐ Issue previously addressed. No justification for further action.
- ☒ Other: _____

_____ Forward to Administrative Review Board
P.O. Box 19277

Springfield, IL. 62794-9277

Mr. Drew,

This issue is not
being addressed - past the time-frame allowed.

STATE OF ILLINOIS)
) SS
COUNTY OF Lawrence)

AFFIDAVIT

I, Frank Drew (K-73574) being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

I the undersigned, declare (or certify, verify, or state)
Under penalty of perjury, that I am the petitioner
in the above action, that I have read the above
petition and that the information contained therein is
true and correct.

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 8-10-2011

/s/ Frank Drew
NAME: Frank Drew
IDOC#: K-73574
Lawrence Correctional Center
P.O. BOX RR Box 31
Sumner, IL 62466

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Frank Drew
K-73514

Petitioner

- vs -

Michael R Randle
Anthony Ramos
Sherry Benton
Sean Bass
Margaret Thompson
Defendants


Judge

Robert M. Dow Jr.

Case No. # 11 C 2938

NOTICE OF FILING / PROOF OF SERVICE

To: Clerk of The U.S. District Court
219 S. Dearborn Street
Chicago, Illinois 60604

 Please Take Notice that on _____ day
of _____ 20__11__, I shall cause to have
file the attached: Complaint Under The
Civil Rights Act, Title 42 section 1983; so
stated.

Frank Drew K-73514
10830 Lawrence Rd.
Sumner, IL 60466

I, the undersigned declare (or certify, verify, or state)
under penalty of perjury, that I am the petitioner in the above
action, that I have read the above petition and that the information
contained therein is true and correct, 28 U.S.C. § 1746; 18 U.S.C. § 1621.